



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SM

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/234,255	01/20/99	WEBB	S 10980134-1

022879
HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS CO 80527-2400

TM02/1011

EXAMINER

JOSEPH, T

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED:

10/11/01

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

6

Office Action Summary

Application No.

09/234,255

Applicant(s)

WEBB ET AL.

Examiner

Thomas J Joseph

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5, 6, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall (pat. # 5,805,166).

Claim 1 is rejected. The Applicant teaches, "a progress area used to indicate the progress of a process being monitored" while Hall demonstrates a window wherein the user can monitor the progress of a process (fig. 1b; col. 3, lines 30 - 35). Both provide a graphical area for tracking progress. The Applicant teaches "a progress indicator that divides the progress area into a first part of the progress area and a second part of the progress area, where the first part of the progress area corresponds to the amount of completion of the process being monitored." Hall an indicator within the scroll bar designated for tracking progress (fig. 1b; col. 3, lines 30 - 35). The area located left of the said indicator is used for tracking completion. The Applicant teaches, "information, in addition to the progress of the process, visibly in the first part of the progress area." Hall teaches display areas containing information regarding the data being processed (fig. 1b). This information on the window graphic can be interpreted as being a part of the said first part of the progress area when the progress area is interpreted as being the entire window. It would have been obvious to one with ordinary skill in the art at the

time of the invention for information in addition to the progress of the process visibly display in the first part of the progress area because doing so can provide the user relevant information while using screen space more efficiently.

Claim 2 is rejected. Hall teaches a progress area in the form of a rectangle (fig. 1b). The "progress indicator" bar takes on the form of a rectangle.

Claim 5 is rejected. Hall teaches the first part of the progress area in a first color and the second part of a progress area in a second color and the progress indicator defined by the change in color between the first part of the progress area and the second part of the progress color (fig. 1b). The portion of the "progress indicator" bar indicating the portion of the process having been completed is in a darker color than the remaining portion of the said "progress indicator" bar. It would have been obvious to one with ordinary skill in the art at the time of the art for the first part of a progress area to be of a different color than the second part of the said progress area because doing so improves readability of progress data.

Claim 6 is rejected. Hall teaches a progress indicator being a line dividing the first part of the progress area from the second part of the progress area (fig. 1b). The vertical line found within the indicator bar is the "line" dividing the first part of the progress area from the second part of the progress area. This "line" is the actual progress indicator.

Claim 8 is rejected. Hall demonstrates in the figure a progress indicator that moves in a linear direction (fig. 1b; col. 3, lines 30 - 35).

Claim 10 is rejected. Hall teaches the rationale of the first three steps of claim 10 in rejected claim 1. Hall teaches a progress bar where progression is displayed (fig. 1b). When the process is through processing, the system stops processing (fig. 1b; col. 3, lines 30 - 35). This is the widely accepted practice in the art whenever a file of data is being processed.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hall (pat. # 6,038,588) as applied to claim 7 above, and further in view of MS Outlook 97.

Claim 7 is rejected. Hall fails to teach any type of uncovering that is the next line of text in a story. MS Outlook calendar provides a scroll bar that allows for the progressing through a calendar wherein the user can view a history (p. 23). The Applicant fails to describe the type of "story " accessed. Further, the claim language does not require the story progression to be automatic and free from human intervention. Activating the scroll feature does bring about a procession of progress. It would have been obvious to one with ordinary skill in the art at the time of the invention to uncover the next line of a text in a story because doing so allows the user to view forthcoming events.

Claim 3, 4, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall (pat. # 6,038,588) as applied to claim 1 above, and further in view of Marks (pat. # 6,097,390).

Claims 3 and 4 are rejected. Hall fails to teach progress area taking on the shape of a half circle or half ellipse. Marks demonstrates displaying the flow of data using a partly circular or partly elliptical display (fig. 4a, 5a, 4c, 5c). It would have been

Art Unit: 2173

obvious to one with ordinary skill in the art at the time of the invention to provides a progress area that is either a half circle or a half ellipse because doing so provides a progress indicator representative of a traditional analog progress indicator.

Claim 9 is rejected. Hall fails to teach an indicator that can be considered angular. Marks teach an indicator that can be considered angular (fig. 4a, 5a, 4c, 5c). The cursor like progress indicators taught by Marks uses an angle based symbol to indicate to the user progress. It would have been obvious to one with ordinary skill in the art at the time of the invention to provide a progress indicator that is angular because doing so resembles a traditional analog progress indicator.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J Joseph whose telephone number is 703-305-2277. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on 703-308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 for regular communications and 703-308-7239 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

tjj
October 4, 2001


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173